06 APR -3 PM 1:26
TX EASTERN-MARSHALL
BY______

United States District Court

EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SUMMONS IN A CIVIL ACTION

DATA TREASURY CORPORATION

VS.

WELLS FARGO & COMPANY ET AL

CIVIL ACTION NO. 2:06CV72 (DF)
JURY DEMAND

TO: Defendant, **First-Citizens Bank & Trust Company,** by serving its registered agent for service, James B. Hyler, Jr., 239 Fayetteville Street, Raleigh, North Carolina 27601

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFFS' ATTORNEY:

Edward L. von Hohn
Nix, Patterson & Roach, LLP
205 Linda Drive
Daingerfield, Texas 75638
903-645-7333

an answer to the complaint which is herewith served upon you, within **20** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

DAVID MALAND, CLERK
Clerk

MAR 2 4 2006
Date

By Deputy

Dockets.Justia.com

AO 440 (Rev. 5/85) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and Complaint was made by me[1]	DATE 3/27/06
NAME OF SERVER Moni King	TITLE Sr. Paralegal

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☒ Other (specify): CMRRR 7003 1680 0007 3529 2957

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3/29/06
Date

Signature of Server

Moni Celeste King
Sr. Paralegal
Nix Patterson & Roach LLP
205 Linda Drive
Daingerfield, Texas 75638

Address of Server

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT First Citizens 6-2
(Domestic Mail Only; No Insurance Coverage Provided)
...mation visit our website at www.usps.com®
...FICIAL USE

$

$

Postmark Here

DAINGERFIELD, TX 75638 MAR 24 2006 USPS

...zens Bank & Trust Co.
...Hyler, Jr.
...teville Street
...C 27601

...tructions

957

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

First-Citizens Bank & Trust Co.
James B. Hyler, Jr.
239 Fayetteville Street
Raleigh NC 27601

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Kelly West ☐ Agent ☐ Addressee

B. Received by (Printed Name) Kelly West
C. Date of Delivery 3-27-06

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7003 1680 0007 3529 2957

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540